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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,160	04/28/2005	Masatoshi Kanayama	NIS-16015	4340
40854 7590 02/13/2008 RANKIN, HILL & CLARK LLP 38210 Glenn Avenue WILLOUGHBY, OH 44094-7808			EXAMINER RECEK, JASON D	
			ART UNIT 2142	PAPER NUMBER
			MAIL DATE 02/13/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,160

Applicant(s)

KANAYAMA ET AL.

Examiner

Jason Recek

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

This is in response to the amendment filed on December 7th 2007 which concerns application 10/529160.

Status of Claims

Claims 1-9 are pending.

Claims 1-9 are rejected under 35 U.S.C. 103(a).

Response to Arguments

1. Applicant's arguments, see pg. 22, filed 12/7/07, with respect to the rejection of claims 7-9 under 35 U.S.C. 101 have been fully considered and are persuasive. The rejection of claims 7-9 under 35 U.S.C. 101 has been withdrawn.
2. Applicant submitted a new abstract which complies with the MPEP. The objection to the specification has been withdrawn.
3. Applicant's arguments with respect to the art rejections of claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanai et al. US 2006/0085282 A1 in view of Yankovich et al. US 2003/0110443 A1.

Regarding claim 1, Hanai discloses "a plurality of user terminal devices each having an operation section and a display section and connected to a communication network" as terminals connectable to communication networks (pg. 3 paragraph 59, Fig. 1), "a host computer connected to said communication network for communicating with said plurality of user terminal devices and obtaining user information from said user terminal devices" as a server (pg. 3 paragraph 58, Fig. 1), "combined equipment selection system receiving service equipment information on a service equipment which a user wishes to use" as a user entering information about the equipment (pg. 1 paragraph 10), "selecting one or more other combined equipment which is different from said service equipment and is suitable for being combined with said service equipment based on said service equipment information" as selecting equipment that is suitable for use based on the user entered information about the equipment (pg. 1 paragraph 13), "displaying said selection information on said combined equipment onto said display" as

displaying the equipment to the user (pg. 1 paragraph 15, Fig. 10), "user terminal devices includes: a means for storing said user information" as a database for storing user information (pg. 3 paragraph 59, 61-63 Fig. 2), "a means for storing constant data on said service equipment" as a database for retrieving information about the equipment (pg. 3 paragraph 59, 61-63, Fig. 2). Hanai further discloses, "a means for requesting a display permission from said host computer for displaying said selection information [...] and displaying said selection information onto said display section only when said display permission is obtained from said host computer" as a log-in where a user must be authenticated before information is displayed, if authentication fails, the user is directed to register (pg. 8 paragraphs 114-17), and "wherein said host computer includes a means for storing said user information and said selection information obtained from said user terminal device" as a database connected to the server which stores user information (pg. 5 paragraph 73-74, Fig. 4), and "means for transmitting said display permission" as a communication controller capable of transmitting on the communication network (pg. 5 paragraph 73).

Hanai does not specifically disclose, "a means for carrying out a selection operation which selects one or more other combined equipment which is different from said service equipment and is suitable for being combined with said service equipment, based on model information and operational conditions of said service equipment entered from said operations section, and said constant data stored in said constant data memory means" included on the user terminal, however Hanai does disclose a

system that recommends items which are different from the selected item or item already in possession and such recommended item is based on user information and item information (pg. 1 paragraph 13, pg. 5 paragraph 70-1) but in the pictured embodiment (Fig. 1, 4) the selection system resides in the server and not in the user terminal. Yankovich discloses processing information on the client side of a client-server system (paragraph 69) for the purpose of reducing the load on the server.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hanai by performing the processing (selection system) on the client as taught by Yankovich for the purpose of reducing server load. Yankovich teaches that by doing so the system may support a greater number of clients (paragraph 69).

Regarding claim 2, it contains many of the same limitations as claim 1 which are discussed above. Hanai also discloses "means for carrying out a selection operation [...] based on [...] variable data which has been stored" as generating related item information from the updated content of the database (pg. 6 paragraph 83), and "confirming whether or not said variable data are updated when said display permission is obtained from said host computer" as checking the database when the user is authenticated (pg. 6 paragraph 93-4, pg. 8 paragraph 115, Fig. 20).

Hanai does not explicitly disclose "[user terminal device including:] a means for storing variable data [...] transmitted from said host computer" however Hanai teaches a

database connected to the server which holds updated items (pg. 6 paragraph 83) these updated items would be necessary for proper selection. Although Hanai does not specifically disclose that the database holding the updated (variable) items is included at the user terminal, Yankovich teaches that information processing can be performed at the client (paragraph 69).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hanai by performing the processing (selection system) on the client as taught by Yankovich for the purpose of reducing server load. Yankovich teaches that by doing so the system may support a greater number of clients (paragraph 69). In order to perform this processing a means for storing data would necessarily be included at the client device for the purpose of receiving and storing information.

Regarding claim 3, it contains many of the same limitations as claims 1 and 2 which are discussed above. Hanai discloses "a means for receiving said variable data from said host computer on condition that said user information is transmitted to said host computer, and updating said variable data which has been stored" the variable data memory is a database which is updated with new information (pg. 6 paragraph 83), and such data is sent to the user after sending user information (pg. 8 paragraph 115), and "transmitting updated said variable data to said user terminal" as transmitting information to the user (pg. 8 paragraph 115).

Regarding claims 4-6, they are substantially similar to claims 1-3 respectively and therefore are rejected for the same reasons.

Regarding claims 7-9, they are computer readable medium claims that correspond to the systems of claims 1-3 respectively, Hanai discloses the systems of claims 1-3 in a computer network environment and thus inherently discloses that the systems are performed on a computer readable media.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nishizawa et al. U.S. 7,111,019 B1 discloses replicating a data store at a client device in order to reduce server load.

Tanigaki et al. US 2003/0088471 A1 discloses an item selecting device that includes item selection means and storage means (Fig. 26).

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

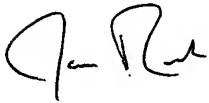
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Recek whose telephone number is (571) 270-1975. The examiner can normally be reached on Mon - Thurs 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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